

MESSAGE NO: 8338114 MESSAGE DATE: 12/04/1997

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-703

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/14/1997 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON CERTAIN INTERNAL-COMBUSTION FORKLIFTS
FROM JAPAN (A-588-703)

MESSAGE NO: 8338114

DATE: 12 04 1997

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 703

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PERIOD COVERED: 10 14 1997 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: ANTIDUMPING SCOPE RULING ON CERTAIN INTERNAL-COMBUSTION
FORKLIFTS FROM JAPAN (A-588-703)

1. ON 10/14/97, IN RESPONSE TO A REQUEST BY NISSAN MOTOR CO. LTD. AND NISSAN FORKLIFT CORPORATION, THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT ALL ENTRIES OF THE NISSAN FORKLIFT MODEL F05-70 ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN INTERNAL-COMBUSTION FORKLIFTS FROM JAPAN(A-588-703) BASED ON THIS MODEL'S STANDARD LOAD CAPACITY OF 15,500 POUNDS.

2. EFFECTIVE 12/01/97, TERMINATE SUSPENSION AND LIQUIDATE ALL

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UNLIQUIDATED ENTRY SUMMARIES, REGARDLESS OF ENTRY SUMMARY DATE, OF THE NISSAN FORKLIFT MODEL F05-70 LISTED ABOVE.

3. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE NISSAN FORKLIFT MODEL F05-70 LISTED ABOVE.
4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
5. CONTINUE TO SUSPEND LIQUIDATION OF ALL OTHER ENTRIES OF FORKLIFT TRUCKS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CERTAIN INTERNAL-COMBUSTION FORKLIFTS FROM JAPAN.
6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/COUNTERVAILING DUTY, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT KRIS CAMPBELL, SCOTT OUDKIRK OR CONSTANCE HANDLEY AT 202-482-3813/2336/0631 RESPECTIVELY, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.
7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party